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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/883,503 | 06/19/2001 | Christophe Soudier | ECO0008-US | 8692 |
| 500 | 7590 | 12/22/2004 | EXAMINER | |
| SEED INTELLECTUAL PROPERTY LAW GROUP PLLC 701 FIFTH AVE SUITE 6300 SEATTLE, WA 98104-7092 | | | STEVENS, THOMAS H | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2123 | |

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/883,503

Applicant(s)

SOUDIER, CHRISTOPHE

Examiner

Thomas H. Stevens

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
2. Claim 5 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 5's statutory type is ambiguous: "a computer system"; "end user assisted method".

Claim Rejections - 35 USC § 103

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
 1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-8 are rejected under 35 U.S.C. 103 (a) as unpatentable by Gebert et al. (U.S. Patent 5,809,488 (1998)), in view of Malin et al. (U.S. Patent 5,732,192 (1998)). Gebert et al. teaches a management system for power station installation; but doesn't teach modeling. Malin et al., teaches a qualitative abstraction of power transmission variables for elements of flow paths.

At the time of invention, it would have been obvious to one of ordinary skill in the art to modify Malin et al. with Gebert et al. since it would be advantageous to compute and model multiple energy efficiency variables for cost comparisons.

Claim 1. A computer program product for simulating the performance (Malin: abstract) of an electrical power system (Gebert: columns 1 and 2, lines 65-67, 1-5, respectively and column 4, lines 10-15), said computer program product comprising: a computer-readable medium; an electrical power system model module (Malin: column 6, lines 21-34); stored on said computer readable medium, and comprising an electrical power system model, said model comprising interrelated blocks (Gebert: abstract) and connections, wherein said blocks represent elements comprising electrical circuits, electrometrical devices, and measurement devices, and wherein the relationships between said blocks and said connections (Malin: column 2, lines 24-34) in said model

are read-only with respect to an end user; an input module stored on said computer-readable medium (Malin: column 3, lines 25-41, with figure 1A), and operable on a computer to allow an end user to specify at least one characteristic for at least one said block in said model, and a simulation engine: stored on said computer-readable medium, (Malin: column 3, lines 25-41, with figure 1A) and operable on a computer to simulate the performance of an electrical power system represented (Gebert: columns 1 and 2, lines 65-67, 1-5, respectively and column 4, lines 10-15) by said model using said specified block characteristics, and output the results of said simulation.

Claim 2. The computer program product of Claim 1, (Malin: abstract; column 6, lines 21-34, column 3, lines 25-41, with figure 1A; Gebert: columns 1 and 2, lines 65-67, 1-5, respectively and column 4, lines 10-15) wherein: said electrical power system model module comprises a plurality of said models, said input module allows an end user to choose one from among said plurality of models for simulation (Malin: column 3, lines 42-61 with Gebert: abstract with column 4, line 13-15) and to specify at least one characteristic for at least one said block in said chosen model; and said simulation engine is operable on a computer to simulate the performance of an electrical power system (Malin: abstract; column 6, lines 21-34, column 3, lines 25-41, with figure 1A; Gebert: columns 1 and 2, lines 65-67, 1-5, respectively and column 4, lines 10-15) represented by said chosen model using said specified block characteristics.

Claim 3. The computer program product of Claim 1, (Malin: abstract; column 6, lines 21-34, column 3, lines 25-41, with figure 1A; Gebert: columns 1 and 2, lines 65-67, 1-5, respectively and column 4, lines 10-15) wherein said input module is further operable on a computer to allow a user: to indicate a set of said specified characteristics as a saved electrical power system model configuration (Gebert: column 1, lines 37-53); and to indicate a said saved configuration (Malin: figure 3 "effort storage-vc" with column 4, lines 65-67) for simulation said simulation engine is operable on a computer to simulate the performance of an electrical power system represented by said model using said saved configuration of specified characteristics system (Malin: abstract; column 6, lines 21-34, column 3, lines 25-41, with figure 1A; Gebert: columns 1 and 2, lines 65-67, 1-5, respectively and column 4, lines 10-15).

Claim 4. The computer program product of Claim 2, (Malin: abstract; column 6, lines 21-34, column 3, lines 25-41, with figure 1A; Gebert: columns 1 and 2, lines 65-67, 1-5, respectively and column 4, lines 10-15; Malin: column 3, lines 42-61 with Gebert: abstract with column 4, line 13-15) wherein said input module is further operable on a computer to allow a user: to indicate one of said models and one set of said specified characteristics as a saved electrical power system model configuration (Malin: figure 3 "effort storage-vc" with column 4, lines 65-67); and to indicate a said saved configuration for simulation said simulation engine is operable on a computer to simulate the performance of an electrical power system represented by said saved configuration system (Malin: abstract; column 6, lines 21-34, column 3, lines 25-41, with

figure 1A; Gebert: columns 1 and 2, lines 65-67, 1-5, respectively and column 4, lines 10-15).

Claim 5. In a computer system, a computer-implemented, end-user assisted method for evaluating the performance of an electrical power system, said method comprising: defining at least one electrical power system model in a computer, each said model comprising (Malin: abstract; column 6, lines 21-34, column 3, lines 25-41, with figure 1A; Gebert: columns 1 and 2, lines 65-67, 1-5, respectively and column 4, lines 10-15): interrelated blocks and connections, wherein said blocks represent elements comprising electrical circuits, electromechanical devices, (Gebert: columns 1 and 2, lines 65-67, 1-5, respectively and column 4, lines 10-15; and Malin: columns 5-6, lines 60-67, 1-7, respectively) and measurement devices, and wherein the relationships between said blocks and said connections in said model are read-only with respect to an end user; prompting an end user to set at least one parameter for at least one said block (Inherent: most simulation have prompts built in); obtaining said settings(Inherent: most simulation have prompts built in); simulating the operation of said model within said set parameters outputting the results of said simulation (Gebert: column 4, lines 55-67; Milan: abstract: last sentence).

Claim 6. The method of Claim 5 (Malin: abstract; column 6, lines 21-34, column 3, lines 25-41, with figure 1A; Gebert: columns 1 and 2, lines 65-67, 1-5, respectively and column 4, lines 10-15; Gebert: column 4, lines 55-67; Milan: abstract: last sentence)

further comprising prompting an end user to select one said at least one model; and
obtaining said selection.

Claim 7. The method of Claim 5 (Malin: abstract; column 6, lines 21-34, column 3, lines 25-41, with figure 1A; Gebert: columns 1 and 2, lines 65-67, 1-5, respectively and column 4, lines 10-15; Gebert: column 4, lines 55-67; Milan: abstract: last sentence) further comprising: prompting an end user to save said settings (Inherent: standard software feature); and obtaining direction from an end user to save said settings.

Claim 8. The method of Claim 5 Malin: abstract; column 6, lines 21-34, column 3, lines 25-41, with figure 1A; Gebert: columns 1 and 2, lines 65-67, 1-5, respectively and column 4, lines 10-15; Gebert: column 4, lines 55-67; Milan: abstract: last sentence) wherein said at least one electrical power system model comprises: a source-and-grid model; a source-and-load model; and a source-grid-and-load model (Inherent: all power stations are interactive between source/load/grid; Gebert: column 4, lines 54).

Correspondence Information

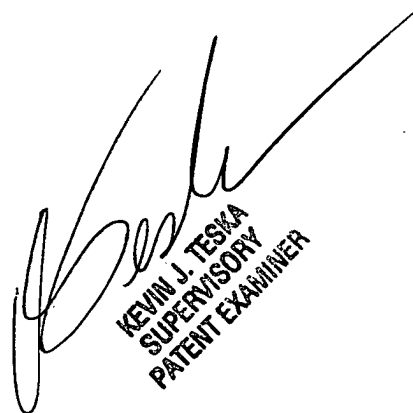
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Tom Stevens whose telephone number is (571) 271-0365, Monday-Friday (8:00 am- 4:30 pm) or contact Supervisor Mr. Kevin Teska at (571) 272-3716. The fax number for the group is 703-308-1396.

Art Unit: 2123

Any inquires of general nature or relating to the status of this application should be directed to the Group receptionist whose phone number is (571)272-1400

December 11, 2004

THS



KEVIN J. TESMA
SUPERVISORY
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